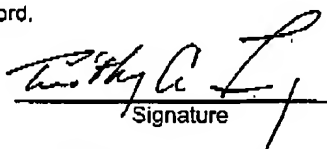


<b>TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION</b>	Docket Number TAL:1016.2023
In re Application of :      Hayden	<div style="font-size: 2em; font-weight: bold; margin: 0;">RECEIVED</div> <div style="font-size: 1.5em; font-weight: bold; margin: 5px 0;">MAR 5 2004</div> <div style="font-size: 0.8em; margin: 0;">TECHNOLOGY CENTER 2800 SPECIAL REL. CENTER</div>
Application No.:      10/712,579	
Filed:      11/12/2003	
For:      A PROBE FOR COMBINED SIGNALS	
<p>The owner, Cascade Microtech Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer, filed prior to the grant of any patent granted on pending second Application Number 10/294,130, filed on November 13, 2002 of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding on the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant; in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declared that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney or agent of record.</p> <div style="text-align: right; margin-top: 20px;"> <div style="display: inline-block; text-align: center; margin-right: 20px;">               Signature         </div> <div style="display: inline-block; text-align: center;">             March 4, 2004              Date         </div> </div> <div style="margin-top: 10px;"> <div style="display: inline-block; text-align: center; margin-right: 20px;">             Timothy A. Long              Typed or Printed Name         </div> <div style="display: inline-block; text-align: center;">             (503) 227-5631              Telephone Number         </div> </div>	
<p><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 C.F.R. 1.20(d) is included.</p> <p><small>* Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for this statement. See MPEP § 324.</small></p>	

Adjustment date  
03/04/2004  
01 FC:154

03/11/2004  
01 FC:154

03/11/2004 09:00:00 AM  
01 FC:154

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**FACSIMILE COVER SHEET**

TO: Nguyen, Trung Q.

FAX NO. 571.273.1766

Art Unit 2829

FROM: Timothy A. Long

No. of pages 5 including this sheet

DATE: March 4, 2004

Applicant : Hayden

Examiner: Nguyen, Trung Q.

Serial No.: 10/712,579

Filed : 11/12/2003

Title : A PROBE FOR COMBINED SIGNALS

1. Transmitted herewith is/are the following for the above captioned application.

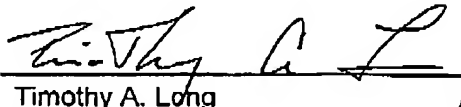
ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee transmittal (2 sheets) <input type="checkbox"/> Fee attached form <input type="checkbox"/> Amendment <input type="checkbox"/> After Final/ Response <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> After Allowance <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing Related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/68) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Additional Enclosures (identify below)
Remarks:		

FEE

2. Attached are two copies of the fee transmittal.

If any additional extension and/or fee is required, charge Account No. 03-1550

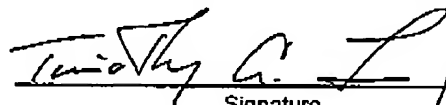
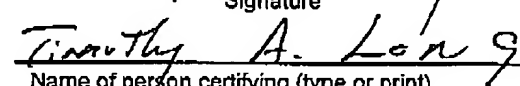
Tel. (503) 227-5631  
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\_\_\_\_\_  
Timothy A. Long  
Reg. No. 28,876

CERTIFICATE OF TRANSMITTAL UNDER 37 CFR §§ 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being transmitted by facsimile to the Patent and Trademark Office.

Date: March 4, 2004

  
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